UNITED NATIONS **A**

General Assembly

Distr.
GENERAL

A/RES/47/34
9 February 1993

Forty-seventh session
Agenda item 131

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Sixth Committee (A/47/586)]

47/34. Report of the United Nations Commission on International Trade Law on the work of its twenty-fifth session

The General Assembly,

Recalling its resolution 2205 (XXI) of 17 December 1966, by which it created the United Nations Commission on International Trade Law with a mandate to further the progressive harmonization and unification of the law of international trade and in that respect to bear in mind the interests of all peoples, in particular those of developing countries, in the extensive development of international trade,

Reaffirming its conviction that the progressive harmonization and unification of international trade law, in reducing or removing legal obstacles to the flow of international trade, especially those affecting the developing countries, would significantly contribute to universal economic cooperation among all States on a basis of equality, equity and common interest and to the elimination of discrimination in international trade and, thereby, to the well-being of all peoples,

Stressing the value of participation by States at all levels of economic development and from different legal systems in the process of harmonizing and unifying international trade law,

Having considered the report of the United Nations Commission on International Trade Law on the work of its twenty-fifth session, 1/

1/ Official Records of the General Assembly, Forty-seventh Session, Supplement No. 17 (A/47/17).

/...

Mindful of the valuable contribution to be rendered by the United Nations Commission on International Trade Law within the framework of the United Nations Decade of International Law, particularly as regards the dissemination of international trade law,

Concerned about the relatively low incidence of expert representation from developing countries at sessions of the Commission and particularly of its working groups during recent years, due in part to inadequate resources to finance the travel of such experts,

1. Takes note with appreciation of the report of the United Nations Commission on International Trade Law on the work of its twenty-fifth session;

2. Takes note with particular satisfaction of the completion and adoption by the Commission of the Model Law on International Credit Transfers; 2/

3. Recommends that, in view of the current need for uniformity of the law applicable to international credit transfers, all States give due consideration to the enactment of legislation based on the Model Law;

4. Takes note with particular satisfaction of the completion and adoption by the Commission of the Legal Guide on International Countertrade Transactions; 3/

5. Recommends the use of the Legal Guide to parties involved in international countertrade transactions;

6. Recommends also that all efforts be made to ensure that the Legal Guide becomes generally known and available;

7. Notes with satisfaction the entry into force on 1 November 1992 of the United Nations Convention on the Carriage of Goods by Sea, 1978 (Hamburg Rules), 4/ and requests the Secretary-General to make increased efforts to promote wider adherence to the Convention;

8. Reaffirms the mandate of the Commission, as the core legal body within the United Nations system in the field of international trade law, to coordinate legal activities in this field in order to avoid duplication of effort and to promote efficiency, consistency and coherence in the unification and harmonization of international trade law and, in this connection, /recommends that the Commission, through its secretariat, continue to maintain close cooperation with the other international organs and organizations, including regional organizations, active in the field of international trade law;

2/ Ibid., annex I.

3/ Ibid., Supplement No. 17 (A/47/17), chap. III.

4/ Official Records of the United Nations Conference on the Carriage of Goods by Sea, Hamburg, 6-31 March 1978 (United Nations publication, Sales No. E.80.VIII.1), document A/CONF.89/13, annex I.

9. Reaffirms the importance, in particular for developing countries, of the work of the Commission concerned with training and assistance in the field of international trade law and the desirability for it to sponsor seminars and symposia to provide such training and assistance, and, in this connection:

(a) Expresses its appreciation to the Commission for organizing two seminars on international trade law, the first held at Suva, from 21 to 25 October 1991, and the second at Mexico City, on 20 and 21 February 1992, and to the Governments whose contributions enabled the seminars to take place;

(b) Invites Governments, the relevant United Nations organs, organizations, institutions and individuals to make voluntary contributions to the trust fund for the United Nations Commission on International Trade Law symposia and, where appropriate, to the financing of special projects, and otherwise to assist the secretariat of the Commission in financing and organizing seminars and symposia, in particular in developing countries, and in the award of fellowships to candidates from developing countries to enable them to participate in such seminars and symposia;

10. Expresses its appreciation to the Commission for organizing, as a contribution to the activities of the United Nations Decade of International Law, a Congress under the theme "Uniform commercial law in the twenty-first century", held in New York from 18 to 22 May 1992, during the last week of the twenty-fifth session of the Commission, which provided a useful assessment of the progress made to date in the unification and harmonization of international trade law and will assist the Commission and other organizations involved in the unification and harmonization of international trade law in laying out the course of their future work;

11. Repeats its invitation to those States that have not yet done so to consider signing, ratifying or acceding to the conventions elaborated under the auspices of the Commission;

12. Requests the Fifth Committee, in order to ensure full participation by all Member States, to continue to consider granting travel assistance, within existing resources, to the least developed countries that are members of the Commission, as well as, on an exceptional basis, to other developing countries that are members of the Commission at their request, in consultation with the Secretary-General, to enable them to participate in the sessions of the Commission and its working groups;

13. Recommends that the Commission pay special attention to the rationalization of the organization of its work and consider all possibilities for rationalization, in particular the holding of consecutive meetings of its working groups;

14. Requests the Secretary-General to submit a report on the implementation of paragraphs 12 and 13 above to the General Assembly at its forty-eighth session.

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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Sixth Committee (A/47/589)]

47/35. Report of the Committee on Relations with the Host Country

The General Assembly,

Having considered the report of the Committee on Relations with the Host Country, 1/

Recalling Article 105 of the Charter of the United Nations, the Convention on the Privileges and Immunities of the United Nations 2/ and the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations 3/ and the responsibilities of the host country,

Recognizing that effective measures should continue to be taken by the competent authorities of the host country, in particular to prevent any acts violating the security of missions and the safety of their personnel,

Noting the spirit of cooperation and mutual understanding which has guided the deliberations of the Committee on issues affecting the United Nations community and the host country,

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1/ A/47/26.

2/ Resolution 22 A (I).

3/ See resolution 169 (II).

/...

Welcoming the increased interest shown by Member States in participating in the work of the Committee,

1. Endorses the recommendations and conclusions of the Committee on Relations with the Host Country contained in paragraph 55 of its report; 1/

2. Considers that the maintenance of appropriate conditions for the normal work of the delegations and the missions accredited to the United Nations is in the interests of the United Nations and all Member States, and expresses the hope that the host country will continue to take all measures necessary to prevent any interference with the functioning of missions;

3. Expresses its appreciation for the efforts made by the host country and hopes that outstanding problems raised at the meetings of the Committee will be duly resolved in a spirit of cooperation and in accordance with international law;

4. Welcomes the recent lifting of travel controls by the host country with regard to certain missions and staff members of the Secretariat of certain nationalities, and urges the host country to continue to abide by its obligations to the United Nations and the missions accredited to it;

5. Notes the establishment by the Committee of a working group to consider problems of financial indebtedness 4/ and stresses the importance of efforts undertaken in this regard;

6. Stresses the importance of a positive perception of the work of the United Nations, and urges that efforts be continued to build up public awareness by explaining, through all available means, the importance of the role played by the United Nations and the missions accredited to it in the strengthening of international peace and security;

7. Requests the Secretary-General to remain actively engaged in all aspects of the relations of the United Nations with the host country;

8. Requests the Committee to continue its work, in conformity with General Assembly resolution 2819 (XXVI) of 15 December 1971;

9. Decides to include in the provisional agenda of its forty-eighth session the item entitled "Report of the Committee on Relations with the Host Country".

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4/ See A/46/26, sect. III.C, para. 43.

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Agenda item 135

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Sixth Committee (A/47/590)]

47/36. Additional protocol on consular functions to the Vienna Convention on Consular Relations

The General Assembly,

Recalling its resolutions 45/47 of 28 November 1990 and 46/61 of 9 December 1991,

Having considered the report of the Secretary-General 1/ containing the replies received from Member States and other States parties to the Vienna Convention on Consular Relations 2/ concerning an additional protocol on consular functions to that Convention,

1. Notes with appreciation the valuable work done during its forty-fifth, forty-sixth and forty-seventh sessions on the basis of the proposal concerning the elaboration of an additional protocol on consular functions to the Vienna Convention on Consular Relations;

2. Urges States, in applying the Vienna Convention on Consular Relations and corresponding provisions of other agreements, to accord full facilities to consular officers in the performance of their functions;

3. Takes note of the report of the Sixth Committee on the matter. 3/

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1/ A/47/327 and Add.1.

2/ United Nations, Treaty Series, vol. 596, No. 8638.

3/ A/C.6/47/L.7.

93-08686

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General Assembly

Distr.
GENERAL

A/RES/47/37
9 February 1993

Forty-seventh session
Agenda item 136

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Sixth Committee (A/47/591)]

47/37. Protection of the environment in times of armed conflict

The General Assembly,

Recognizing that the use of certain means and methods of warfare may have dire effects on the environment,

Recognizing also the importance of the provisions of international law applicable to the protection of the environment in times of armed conflict and, in particular, both the rules of universal applicability laid down in the Hague Convention respecting the Laws and Customs of War on Land, of 18 October 1907, with the Regulations annexed thereto, 1/ and the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 2/ and the applicable rules of the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), of 1977, 3/ and of the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques, of 1976, 4/

1/ See Carnegie Endowment for International Peace, The Hague Conventions and Declarations of 1899 and 1907 (New York, Oxford University Press, 1915).

2/ United Nations, Treaty Series, vol. 75, No. 973.

3/ Ibid., vol. 1125, No. 17512.

4/ Ibid., vol. 1108, No. 17119.

/...

Expressing its deep concern about environmental damage and depletion of natural resources, including the destruction of hundreds of oil-well heads and the release and waste of crude oil into the sea, during recent conflicts,

Noting that existing provisions of international law prohibit such acts,

Stressing that destruction of the environment, not justified by military necessity and carried out wantonly, is clearly contrary to existing international law,

Concerned that the provisions of international law prohibiting such acts may not be widely disseminated and applied,

Noting the work on environmental protection carried out within the United Nations system and at meetings and symposia on the subject,

Taking note of the Final Declaration of the Second Review Conference of the Parties to the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques, 5/

Taking note also of the Rio Declaration on Environment and Development, 6/ adopted at the United Nations Conference on Environment and Development at Rio de Janeiro on 14 June 1992, in particular principle 24 thereof, and other relevant decisions of the Conference,

Expressing its appreciation for the report of the Secretary-General 7/ submitted pursuant to General Assembly decision 46/417 of 9 December 1991,

Welcoming the activities of the International Committee of the Red Cross in this field, including plans to continue its consultation of experts with an enlarged basis of participation and its readiness to prepare a handbook of model guidelines for military manuals,

1. Urges States to take all measures to ensure compliance with the existing international law applicable to the protection of the environment in times of armed conflict;

2. Appeals to all States that have not yet done so to consider becoming parties to the relevant international conventions;

3. Urges States to take steps to incorporate the provisions of international law applicable to the protection of the environment into their military manuals and to ensure that they are effectively disseminated;

5/ ENMOD/CONF.II/12, part II.

6/ See Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992 (A/CONF.151/26), chap. I, resolution 1, annex I.

7/ A/47/328.

4. Requests the Secretary-General to invite the International Committee of the Red Cross to report on activities undertaken by the Committee and other relevant bodies with regard to the protection of the environment in times of armed conflict, and to submit to the General Assembly at its forty-eighth session, under the item entitled "United Nations Decade of International Law", a report on activities reported by the Committee.

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